

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 October, 2019  
07  
19/1477

## SITE INFORMATION

RECEIVED	18 April, 2019
WARD	Brondesbury Park
PLANNING AREA	
LOCATION	Queens Park Community School, Aylestone Avenue, London, NW6 7BQ
PROPOSAL	Erection of a temporary single storey classroom building to provide additional teaching facilities, addition of associated single storey staff room/admin office, storage container and canopy over playing area to include mesh fence enclosure, new tarmac footpath and associated cycle storage (DEPARTURE FROM POLICY CP18 OF BRENT'S LOCAL PLAN).
PLAN NO'S	See Condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_144951">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_144951</a></p> <p><b><u>When viewing this as an Hard Copy _</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "19/1477" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

Resolve to **grant** planning permission subject to conditions.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

1. Time limit /Temporary Consent
2. Approved drawings/documents
3. Compliance with Tree Report
4. Securing Replacement Trees
5. Compliance with Ecological Appraisal
6. Lighting Strategy
7. Securing Cycle Parking

Informatives:

1. Code of Construction Practice
2. Fire safety
3. Living wage
4. Notification of Highways

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

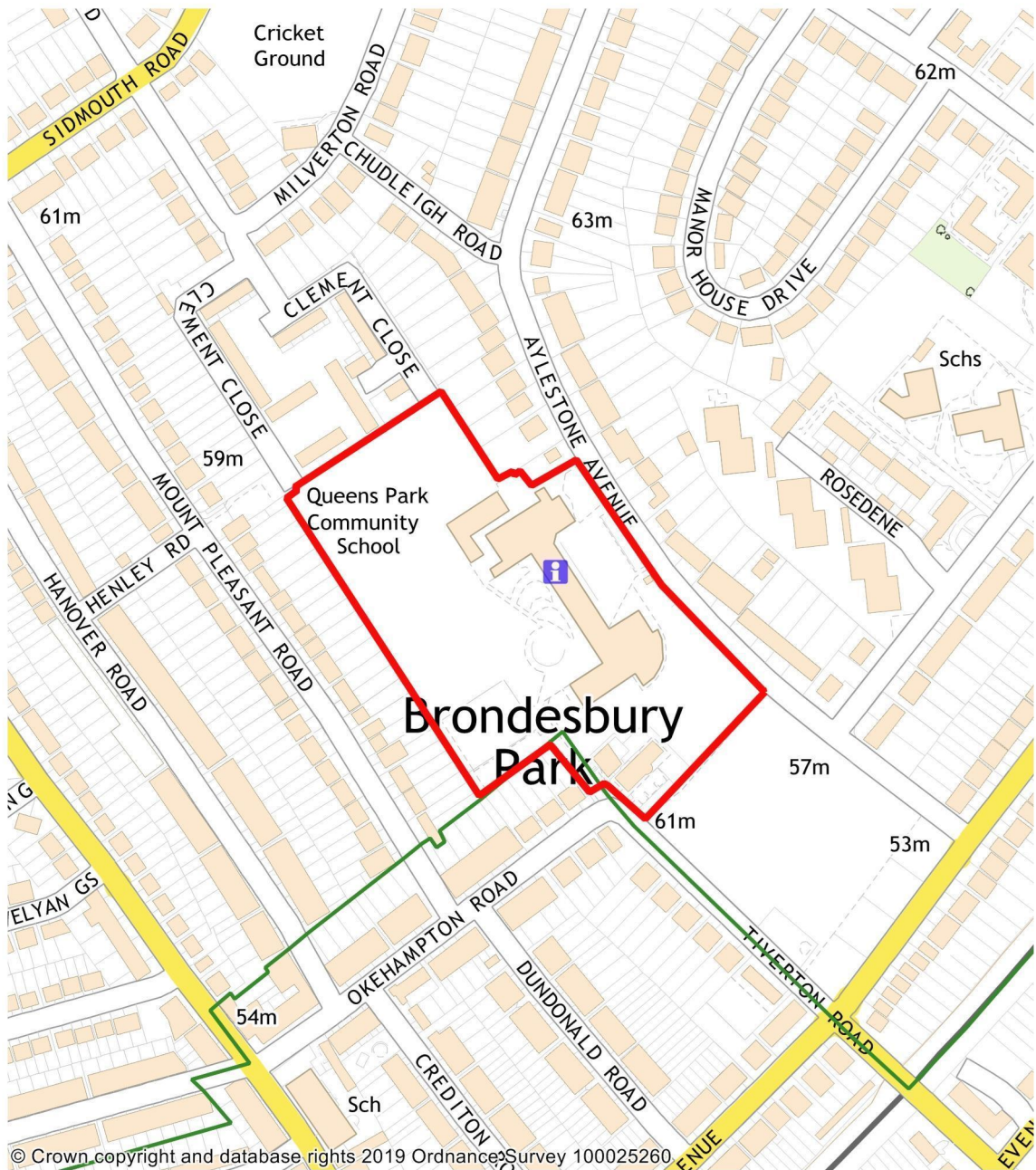
## SITE MAP



### Planning Committee Map

Site address: Queens Park Community School, Aylestone Avenue, London, NW6 7BQ

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This map is indicative only.

## PROPOSAL IN DETAIL

Erection of a temporary single storey classroom building to provide additional teaching facilities, addition of associated single storey staff room/admin office, storage container and canopy over playing area to include mesh fence enclosure, new tarmac footpath and associated cycle storage (DEPARTURE FROM POLICY CP18 OF BRENT'S LOCAL PLAN).

## EXISTING

The site relates to playing fields within the curtilage of Queen's Park Community School, adjacent to the existing school buildings. The site is located on designated Open Space. The site is not listed nor located within a Conservation Area.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

**Representations received:** 123 neighbouring occupiers were consulted on the application. 11 objections were received and 2 comments of support.

**Loss of playing field on area designated as Open Space:** The application constitutes a departure from the local plan on account of the school field being designated as Open Space. The placement and size of the proposal is such that it results in a minor encroachment upon the open space and sports/playing fields. The use would be education and therefore appropriate in use class terms within the school grounds. Sport England raised no objection, remarking that the proposal would not reduce the sporting capability of the site. The application seeks temporary planning permission until 31<sup>st</sup> December 2021, therefore any impact of the proposal would be temporary.

**Neighbouring amenity:** Objections have been received in relation to increased noise and disturbance as well as a loss of privacy and outlook. Officers consider that the proposed development which would result in an increase of 7 students from 21 to a total of 28 compared to the existing facility, and a total of 24 members of staff for the Special Educational Needs (SEN) facility, is not likely to result in a material additional impact and the proposed development would not adversely impact the residential amenity of nearby properties, above and beyond the existing use as a school and playground.

**Design:** The design of the building is considered to be acceptable and the height and massing is in keeping within context. It would be single storey with a flat roof.

**Highways and transportation:** The proposal is unlikely to have a significant impact on local streets given the small increase in the number of students and teachers.

**Trees and Ecology:** The proposal is considered to provide adequate protection of trees, the submitted Arboricultural Statement has been reviewed by the Council's Tree Officer and has been conditioned. Two TPO trees would be lost, the Tree Officer supports their loss given their quality/life expectancy and two tree replacements have been secured via condition. The proposal would not have an adverse impact on local wildlife or ecology as demonstrated by the submitted Preliminary Ecological Appraisal. The recommendations of this report have been conditioned.

## RELEVANT SITE HISTORY

The school site is large and has extensive planning history, as such the relevant planning history is outlined below:

**17/3003-Granted**

Retention of the single storey classroom building located to the north of the school.

**15/3669 – Granted**

Single storey extension to expand the existing Sixth Form with associated access, canopy and screening to the school building fronting Aylestone Avenue.

**11/1836 -Granted**

Erection of temporary single storey classroom buildings for 16 pupils with special educational needs (for a maximum of 2 years) on land to the north of the existing school.

## CONSULTATIONS

### Internal Consultees

Environmental Health: No objection subject to conditions.

Transport: No objection subject to conditions.

These consultees raised no objections to the proposed development their comments are discussed in the detailed considerations section of this report.

### External Consultees

Sport England

Sport England raised no objection, they did not consider that the development would reduce the sporting capability of the site. They considered that the proposed development affects only land incapable of forming part of a playing pitch. Their comments are discussed in detail in the main body of this report.

The above consultee responses are discussed in the detailed considerations section of this report.

### Public Consultation

*First round of consultation:*

**Consultation Letters:** A total of 123 nearby properties and the Aylstone Park Residents' & Tenants' Association (APRATA) on 07<sup>th</sup> June 2019.

**Site Notice:** Posted outside the site on 13/05/2019.

A total of ten objections were received during the first round of consultation.

*Second round of consultation:*

Residents of Aylstone Avenue commissioned a private planning practice who challenged some issues with the first round of consultation. This included that they believed that as the site was located on designated open space, as illustrated by the Brent Planning Policy Constraint Maps and the Local Plan, that the application must be advertised as a Departure from policy CP18 of Brent's Local Plan. They also advised that the application form was not made public, this was investigated and there was an administration error which meant that the form was only made visible on the public website on 24/06/2019. A number of other matters were raised and the Council addressed these on an email sent on 11/07/2019.

The Council therefore undertook a full re-consultation based on the matters above and revised plans as follows:

**Consultation Letters:** A total of 123 nearby properties and the Aylstone Park Residents' & Tenants' Association (APRATA) on 16<sup>th</sup> August 2019.

**Site Notice:** Posted on 16<sup>th</sup> August 2019.

**Press Notice:** 8<sup>th</sup> August 2019.

A further 8 representations were received during the second round of consultation of which two were in

support and 6 raised objections. Of the 6 that raised objections 5 were additional objections received from the same addresses already logged in the previous consultation. Although these further comments will be taken into consideration, this brings the total number of objections to 11 and 2 representations of support.

The table below summarised the themes/content of objections and provide officer comments:

Theme of objection	Officer Comment
<p><b>Lighting</b> Concern relating to security lights causing disturbance to neighbours and wildlife. Notes existing school lights cause disturbance.</p> <p>Requests condition relating to their height/placement and filters to be used.</p> <p>Floodlights will be pervasive and would be triggered by wildlife at night time.</p> <p>Impact of lighting to residents not demonstrated.</p> <p>Increased windows would result in increased light pollution.</p> <p><b>Visual Impact</b> Structures would be unsightly. Would be visible from first floor residential windows.</p> <p>Development would be detrimental to the character of the open space.</p> <p>Fails to respect CP 17 protecting and enhancing the suburban character of Brent.</p> <p>Not in keeping with the area or even with the school.</p> <p>Natural light and open space of field would be more obscured, result in a visual impact</p> <p>Compound style development including timber fences.</p>	<p>A condition is recommended requiring the submission of lighting details.</p> <p>No floodlighting is proposed, given the size, scale of the lighting and the fact that the condition would require limited use, it is not considered that the lighting could be adversely harmful to wildlife.</p> <p>The distance separating the building from the neighbouring properties is sufficient to offset any significant impact.</p> <p>Impact to character and appearance is discussed in the detailed considerations section of the report.</p> <p>Revised fencing has been proposed, the application now proposes more permeable mesh fencing.</p>
<p><b>Residential amenity</b></p> <p>Occupants of nearby properties are retired and changing work patterns mean people are at home more often and therefore affected by the operational hours of the school.</p> <p><b>Views</b> Views from neighbouring living room being impacted.</p> <p><b>Noise</b> Increased activity/entrances and noise disturbance from comings and goings of teachers and students.</p>	<p>The impact of the proposed development upon residential amenity is discussed in the detailed considerations section of the report.</p>

Increased footprint would make noise disturbance worse.

Layout with windows and orientation towards rear gardens would intensify noise and this should be redesigned to face the field. Other locations should be investigated.

High pitch crying and screaming. Activity would be different given the needs of the school.

Teachers can create as much noise as students.

Students spend a large amount of time outside.

Lists planning policies relating to noise and asserts no evidence has been submitted to demonstrate noise impact and that this should be required.

States layout should be like the 'Three Trees Children's Centre'.

Grievances about The Avenue School Venture, noise impact experienced over last 18 months. Refers to 3G pitches.

2 years of impact on top of existing would result in 4 years' impact.

Complaints raised with Environmental Health since 2018 but no response or action has been taken.

Concern with noise from AC units, mechanical services, plant and machinery.

Canopy covered area will increase noise and will be used as an outdoor classroom/or/ and for parties and private lettings.

No noise assessment/mitigation has been submitted, no evidence to suggest noise would not be worse or to quantify impacts. Noise created and lack of noise assessment against planning policy (policies listed in objection).

Window design now larger, this would result in greater noise issues with less acoustic properties. Doubtful that windows would be double glazed and buildings would have adequate acoustic design.

Cycle storage /storage would increase noise disturbance, should be re-located.

### **Overbearing**

Due to size and proximity and use would have an overbearing impact to neighbours, particularly in the winter when trees are not in leaf.

Cramped and oppressive especially given the solid timber fence.

**Privacy**

Overlooking into residential properties.

Reduces privacy along the boundaries due to pathway. Area to the rear makes the biggest contribution to the enjoyment of garden

Windows on the Eastern elevation, facing Aylestone Avenue, should be as opaque glazed similarly to the windows on the North elevation facing Clement Close which are currently noted as opaque glazed on the submitted plans.

Buildings revised and now further set back with increased unobstructed view of residential properties. Privacy concerns which would be worse in winter when leaf cover is diminished

**Operational hours**

Seeks between 08:50-3.20, building not open from 7:30-6pm, for staff, lets or students. Hours would double. States proposed hours are not within planning statement.

Request that hours relate to terms time and weekday only.

**Management**

No Management Plan has been submitted for hours, timetables and specific use. This should be conditioned. Hours and outdoor use should be restricted.

Planning statement says that there may be occasional after school lettings.

A management plan is not considered necessary. The previous planning statement was vague and did state that there may be occasional lettings. The applicant was asked to provide further details and asked if this as necessary. They confirmed that this was no longer the intention.

The revised Planning Statement confirms at paragraph '*There is no intention to open the building outside of the above hours for lettings*'.

**Adjacent existing modular classroom**

Concerns raised that this was made permanent and that this proposal may become permanent. Requested condition to make sure the proposal would be temporary.

Structure, fencing, surrounding area in breach of planning.

No enforcement was taken against the structure when it stayed longer than was permitted.

Concerns that no enforcement action would be taken if the structure was to remain beyond its permission.

This application does apply for temporary permission only. A condition would be recommended to ensure that the structures are removed by December 30<sup>th</sup> 2021 and the land returned to its pre-existing condition.

Any issues relating to breaches in planning control would be dealt with under separate



Previous application was not scrutinised properly.

Poor design that this application repeats.

Resulted in impact to residential amenity including noise and disturbance. Noise is heard from garden and rear facing rooms, even when windows are closed. With the seasons this changes their behaviour. Requested condition to ensure windows be shut, double glazed and opaque.

Criticises consultation process for application reference 17/3003 for the retention of the existing classrooms noting only site notices were posted.

Existing internal lighting left on overnight and at weekends.

Previous applications and activities have not taken into account impacts to local community.

Previous events have caused disturbance, generally been in support of school over years, but more recently school have been riding rough shot over rights of neighbours. Criticises school in previous licensing/planning applications.

processes. The current issues raised have been investigated by the Planning Enforcement Team. In some instances the developments were lawful. In others, there was no significant demonstrable harm and it was not expedient to take any action.

This application considers the proposed structures. Consideration is also given to cumulative impact of the proposal and the existing school site.

If residents have concerns relating to noise and lighting they are advised to contact Brent's Environmental Health Department.

#### **Loss of sports field**

Reference to application 19/1563 – Proposed 3G pitched at QPCS questions why field space is taken up when it should be for sports and fitness.

Reduction in recreational/play space.

Application reference 19/1563 is not considered directly relevant in the determination of this application.

The loss of the sports field is discussed in the detailed considerations section of this report.

#### **Open Space**

Site designated as open space. Would occupy previously unoccupied open space.

Contradicts CP 9 – Protection & Enhancement of Open Space and the NPPF.

Green space is scarce in Brent. There should be more not less.

No evidence to suggest open space is surplus to requirement required by policy. Refers to the ecological appraisal that states the grass is trampled and this suggest that the space is used.

Refers to strategic benefit not being applicant for this site as it is temporary only.

The development on designated open space is discussed in the detailed considerations section of this report.

**Environmental Impact/Trees/Ecology /Sustainability**

Concern raised in regard to impact to wildlife, notes existing habitats including trees and hedges and existing species of birds that are commonly seen. Asserts that the Ecology information submitted understates this and did not include photographs of the eastern elevation and trees on the boundary.

Works could result in the deterioration of an irreplaceable habitat as outlined in the NPPF.

Negative impact on wildlife and does not encourage future development of wildlife.

Path would impact roots of trees in adjacent gardens, states that they spoke with the tree officer who mentioned a no dig area, requested this be a condition.

Notes contradiction between use between the submitted Design & Access Statement (underused area) and the Ecological Appraisal (heavily trampled indicating use by children).

Concern raised in reference to impact to Willow Tree. It notes construction activity may effect trees if mitigation not taken.

Requests re-assurances that future occupants could not prune trees without consent from Brent Council, as this would have an impact on visual amenity.

Requests that no fencing is required along the boundary as it would result in impact to hedgerow and wildlife.

Orientation of classrooms does not maximise light for classrooms, which could result in a further heating need and fails to contribute towards sustainable development.

The build is not eco-friendly/sustainable.

Loss of trees for temporary structure is unacceptable. The loss of trees would impact residents of Clement Close, as screening would be lost.

The environmental impact, including aspects of sustainability and impact to trees and ecology is discussed in the detailed considerations section of this report.

**Overdevelopment**

States new development taken with adjacent classrooms would be 1430m3.

The size/impact of the development is discussed in the detailed considerations section of the report.

Development would be excessive for such a small increase in student numbers and difficult to justify in public interest terms.

It is understood that the facility would accommodate an addition 7 students and it would allow more comfortable classroom facilities and smaller teaching classes of 7 per class as outlined in the submitted planning statement. The Council understand the need for more capacity and better facilities to better suit the needs of The Avenue School.

**Traffic**

Heavy traffic from idling buses/coaches related to school.

Increased disturbance from traffic and pedestrians.

Idling coaches/buses.

Traffic impact is discussed in the detailed considerations section of the report.

**Fear of criminal activity**

Addition of path would make a route easier for criminals and provide an opportunity for crime.

Security measures lacking.

When considering the siting and access arrangements proposal would not directly result in an opportunity for crime and the request for additional security measures is considered unreasonable.

**Consultation responses**

Questions where consultation responses can be found. States these should be made public.

Ability to respond to application in a balanced way is hindered by lack of access to a noise assessment or statutory/internal consultees.

Comments received by the public have been made publicly available and suitably redacted.

Due to Council resources and current systems internal and external comments are not automatically made available. Some comments have been provided to those objectors who have requested them. It is not felt that the public have been hindered in any way by these comment not having been made public.

The impact from noise and reasoning as to why a noise assessment is not considered necessary is discussed in the detailed consideration section of

	this report.
<p><b>Principle</b></p> <p>Does not relate well to the neighbouring properties and open space in terms of layout, scale, type and materials, which are at odds with the residential surroundings.</p> <p>Inappropriate, unneighbourly form of development.</p> <p>Private hire would constitute a change of use.</p>	<p>These points are addressed in other sections, in particular within the impact to residential amenity; and impact to character and appearance assessments within the detailed considerations section of this report.</p>
<p><b>Need</b></p> <p>Already a SEN Classroom that has been made permanent. Expanding school not appropriate.</p> <p>School has enough classrooms</p> <p>Excellent Special schools around.</p> <p>Makes reference to the proposed site for the new Avenue School where works have not started.</p> <p>Application seems like cynical revenue gaining ploy rather than a genuine needs-based application.</p>	<p>It is understood that the facility would accommodate an addition 7 students and it would allow more comfortable classroom facilities and smaller teaching classes of 7 per class as outlined in the submitted planning statement. The Council understand the need for more capacity and better facilities to better suit the needs of The Avenue School.</p>
<p><b>Inconsistencies /Inaccuracies</b></p> <p>Height of existing modular classroom at 3.3 yet it was approved higher.</p> <p>Inconsistency with height of fence</p> <p>Questions height of fencing. Dimensions should be given.</p>	<p>The already approved adjacent modular classrooms were as the objector states approved higher. The development was not built in accordance with the plans and the applicant suggest this was built as shown on the submitted plans. However, this error is not considered material in the determination of this application, especially given that the impact would be lesser given the height would be reduced.</p> <p>The inconsistency with the height of the fence was resolved with amended plans, the mesh fence would be 2m in height.</p> <p>The drawings are to scale and dimensions are not considered</p>

necessary.

A further letter was received from MRPP (Letter Ref: 3059/MY/LT20190923 prepared by MRPP dated 23<sup>rd</sup> September 2019) who act on behalf of two residents in Aylestone Avenue. The letter states ‘ *The objective of this letter is to ensure officers are fully aware of relevant procedural issues and also to give an indication of the determinative issues here which appear to have been overlooked by the applicant’s submissions.*’ The letter totals 8 pages, therefore the table below is used to summarise the themes for the letter and provides some officer comment.

<b>Theme/Subject</b>	<b>Officer Comment</b>
<p><b>Use and Intensification</b></p> <p>Intensification of school use and increasing commercialisation of facilities.</p> <p>Issues created by third parties.</p> <p>Compressed school playground near boundary.</p> <p><b>Hours of Use</b></p> <p>School does not only create disruption during school hours.</p> <p><b>Other planning application</b></p> <p>States that issues caused by third parties mean that residents are carefully reviewing this application and other applications such as 3G pitches.</p>	<p>The Planning Statement has been revised and there is no specific intention to use the facility for private hire. The proposed use is ancillary to the wider use of the school.</p> <p>The London Plan Policy 3.8 relates to Education Facilities and states that school facilities can provide venues for a range of community activities, including children’s centres, and cultural and sports activities, where children and parents feel comfortable to access them. School facilities such as sports, training and meeting facilities should be capable of use by the wider community outside school hours. Maximum use of schools in the evenings and at weekends will reduce the land requirement for other uses.</p>
<p><b>Existing adjacent temporary classroom</b></p> <p>The letter details the planning history associated with the adjacent existing modular classrooms.</p> <p>The classroom previously had temporary consent, but were not removed as per a planning condition. It was therefore in breach of planning control.</p> <p>Other facilities were added without</p>	<p>Officers are aware of the planning history relating to the adjacent existing modular classroom.</p> <p>Officer’s dispute that there was insufficient information to determine the application and assessed the applicant based upon the permanency of the development and other impact with reference to the relevant polices.</p>

planning permission such as outdoor play areas, air conditioning units/plant and fences, resulting in annexation of the school playing fields.

Planning permission was granted under 17/3003 to make the development permanent.

States that the previous application was assessed wrongly on the basis that the temporary nature was not harmful rather than relevant policies. Argues that submitted information with the application to retain the development was insufficient for the council to assess the effect.

Lists reasons why the existing structures are in breach:

Does not comply with the Written Statement in respect of access, arrival and departure.

Absence of consent for operational development including facilities within SENDS compound, air conditioning and other plant

Notes that these issues have been raised with the Planning Enforcement Team

Officers are aware of the alleged planning breaches. Indeed, MRPP and the residents who has queried this has been contacted by the Planning Enforcement Team. They have advised that no enforcement action will be taken, they have come to the judgement that it would not be expedient to do so, for a number of reasons including that, some matters are not harmful, other matters have been in situ for at least 4 years and have become immune to enforcement action and finally some of the uses are considered incidental to the educational use at the school site.

These matters are not considered to have a bearing on the determination of this application.

**Impact on Local Amenity**

Layout facing towards rear of Aylestone Avenue, activities such as arrivals/departures, deliveries, outdoor play and learning would occur in the space between the unit and the rear of

The merits of the layout and associated impact are discussed in the detailed consideration section of the report.

the properties.

## Noise

Fails to mitigate noise through acoustic materials/screening. Again repeats that children scream and have tantrums and staff are loud in controlling them. States that there is play equipment and musical instruments are used.

Lack of technical assessment, states this is required by local validation list.

An advice note was submitted in regard to Acoustic impact by Sharps Gaylor.

The letter criticises Environmental Health's assessment of the impact.

Summer months are worse in terms of noise impact. Classes are not timetabled and held outside, refer to the canopy enabling further outdoor use.

Noise events have been recorded and shared with the council, though little interest has been taken.

Again refers to the air conditioning units.

Many of the concerns relating to noise have already been raised by both MPPR (Martin Robeson Planning Practice) and the residents that they represent in a number of previous letters and objections. The impact of noise is discussed in the detailed considerations section of this report. The advice note by Sharps Gaylor has been reviewed by Brent's Environmental Health Department

The detailed considerations section of the report provides an assessment of noise impact, which does take account of all activities associated with the development.

The residents should liaise with Brent's Environmental Health about these events.

Planning Enforcement have already stated their position in regard to the air conditioning units under separate cover. The residents are advised to contact Brent's Environmental Health department about the impact of noise, should noise nuisance occur.

### **Application Process**

MPPR, raised a number of deficiencies/errors with the application including:

- Identity of the applicant
- Description of development
- Errors in drawings
- Incomplete justification

### **Statutory Requirements**

Lists the following as statutory or related failings:

- Address fails to describe site, site is within Queen's Park Community School Grounds where The Avenue has use of facilities.

The applicant is listed on the application form as Martyn Williams who is also listed as the agent. The agent has clarified that the applicant is the Department for Education.

The description of development was changed and a full re-consultation took place. This included the inclusion of a departure from the local plan given the sites designation as open space.

Revised plans have been received and are accurate.

The justification is considered sufficient.

The application has clearly identified the location of the proposal and members of public and consultees would have been clear about the location. The postcode and address on the application form is correct. It does list The Avenue as the site on the form but the consultation letters were clear and referred to Queen's Park Community



- The applicant was listed as Martyn Williams who is the agent.
- Site area confirmed to be 1456m<sup>2</sup>, despite the revised application from, which would mean the applicant should be classified as a Major.
- Use of the land is playing field not SENDS unit. This is fundamental to the assessment of the application.
- Applicant claims vehicle parking is not relevant. 9 additional staff are proposed. Contradicts information elsewhere.
- Applicant confirms below ground services survey will follow.
- Applicant does not clarify nature of pre-application advice received by Council  
-Council fails to reveal ownership details. Requests that this should be transparent.

States that these errors must be rectified and re-consulted on in order that statutory duties are met before decision has been made.

School. Furthermore, a Location Plan clearly shows the site.

The applicant is the Department for Education. The fact that Martyn Williams was listed is not considered to have prejudiced anyone during the application process.

In response to a MPPR Planning's previous concerns with the site /location plan. A revised site plan to include the show school a red line around the whole site as opposed to a red line around the development site and a blue line around the wider Queen's Park Community School. The actual area of development has not changes, though it is acknowledged that car parking spaces within the wider site are allocated for use by The Avenue School Staff.

The proposed use is considered to be ancillary to the wider education use of the site, as are the playing fields.

Parking has been considered within the detailed consideration section of this report.

Adequate information has been submitted. A below ground survey is not required.

They are not required to do so.

Certificate B was signed within the application form certifying that pre-requisite notice was served on the owners. The ownership of the site has

	<p>not prejudiced the public or consultees.</p> <p>The Council have met all the statutory requirements.</p>
<p><b>Planning Justification</b></p> <p>Application is deficient in planning justification. Criticises level of detail and justification.</p> <p>States that there was a lack of justification with the previous application, this concerns residents and questions the applicant's motivations.</p> <p>States that an appraisal of the sites suitability has not been done.</p> <p>Refers to the length lease of the land. States that it is presumed that The Avenue school has presumably made other arrangement for the additional students that were due to start in September 2019. It states that there is insufficient justification for the need and that this should be provided to justify loss of playing fields and open space.</p> <p>Applicant must demonstrate that other material considerations outweigh breach in policy.</p>	<p>The submitted Planning Statement, Transport Statement, Construction Method Statement, Ecological Appraisal, Arboricultural Method Statement and submitted drawings are sufficient for the Council to assess the application.</p> <p>The location is considered suitable and is discussed in the main body of the report.</p> <p>The need for the addition facility is discussed in the main report. The temporary arrangement that may or may not have been found in the interim is not considered relevant. An appraisal/sequential test of existing facilities is not necessary.</p> <p>The impact/merits are discussed in the main body of this report.</p>

The following table summarised the content of the representations received in support of the application:

<b>Comment in Support</b>	
<p><b>Need</b> Given the shortage of the facilities proposed and the importance of providing such facilities, and given the negative responses so far made, a support comment is made.</p> <p>Intention was to have the additional capacity available by September, important that approval should be given as soon as possible. Given that the number of objections will mean that the application will need to go to Planning Committee. Request to be heard at Committee as soon as possible.</p> <p><b>Low intensification</b></p> <p>As it appears that there are already 21 special needs pupils using the current facility (albeit that the status of that facility has changed from temporary to permanent) the addition of 7 more (to 28) is hardly likely to cause problems to nearby residents, and many of the objectors, particularly in Mount Pleasant Road, are too far away to be adversely affected.</p> <p><b>Transport</b></p> <p>The transport arrangements unlikely to cause problems. Experience with the Manor School has shown that the special needs children there do not cause noise and disturbance when being dropped off and collected from the school.</p> <p>Intention was to have the additional capacity available by September, important that approval should be given as soon as possible. Given that the number of objections will mean that the application will need to go to Planning Committee, I would urge you to get it on the committee agenda at the earliest possible opportunity.</p> <p>The objectors should be assured that the structures would be temporary and removed in 2021.</p>	<p>Some of these points are discussed within the detailed considerations section of this report.</p>
<p><b>Objections received</b></p> <p>Negative comments unfounded. 21 pupils have been using the current building on the QPCS estate with no problem, of which most objectors</p>	<p>Some of these points are discussed within the detailed considerations section of this report</p>

are ignorant or choose to overlook. The temporary addition of 7 more is hardly likely to make any difference.

### **Construction**

Constructing a single classroom would not take long or entail much construction, noise, disruption or traffic to Aylestone Avenue or Mount Pleasant Road.

### **Transport**

Delivering and collecting 7 students involves just one or two more vehicles than at present, which cannot bother anyone on Aylestone Ave. as they drive onto the site and don't park on the street - where there is plenty of space, anyhow.

I often enough walk or drive past the Manor School where about 170 pupils are delivered and collected daily, and while there might be temporary hold-ups on Okehampton Rd. there is no serious issue

### **Visual Impact**

Hardly even visible. Well set back surrounded by trees and shrubbery, diminishing the chances of any problems whatsoever from 28 vulnerable children.

### **Light Pollution**

Pupils leave around 3:30pm so there also cannot be any light pollution to bother any residents.

### **Noise**

Many objectors are in Mt. Pleasant Road: no noise or light and certainly no traffic comes near them. There are many trees and shrubs around and their houses at the other end of their gardens are so far from the building that I cannot imagine they can even see it.

The 170 pupils at Manor School do not disrupt the neighbourhood with unwanted noise. Children make noise on the playground and that is a healthy noise, a sign of happy, active children!

### **Temporary Nature**

Most objectors don't seem to realize that it is only temporary until the end of 2021 when the new facility will be ready.

### **Need/Timescales**

It is hoped the additional temporary accommodation will be ready for a September opening, but the consultation period has a few days to run, so I hope it can all be speeded up to allow that to happen so that the additional pupils will have their places secured. Such vulnerable children need all the help they can get.

## **POLICY CONSIDERATIONS**

### **London Plan (2016)**

Key policies include:

- 7.15: Reducing and managing noise improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 3.18: Education Facilities
- 3.19: Sports Facilities
- 7.18: Protecting open space and addressing deficiencies
- 7.19: Biodiversity and access to nature
- 7.21: Trees and woodland

### **Core Strategy (2010)**

- CP 17 – Protecting and Enhancing the Suburban Character of Brent
- CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity

Objective 5 - Meeting Social Infrastructure Needs

### **Brent's Development Management Policies (2016)**

- DMP1 - Development Management General Policy
- DMP8 - Open Space
- DMP12 - Parking

### **Brent Design Guide SPD1 (2018)**

## **DETAILED CONSIDERATIONS**

### Proposal Background

1. This application seeks temporary school accommodation for The Avenue, a non-faith co-educational, Special Educational Needs (SEN) school for children aged 4-19. The students are currently accommodated in the existing temporary accommodation situated on the north-eastern side of the Queen's Park School playing fields.
2. The existing detached modular classroom accommodated 21 students, which would increase to 28 students. The additional single storey modular classroom for which this application seeks planning permission for, combined with the existing accommodation would accommodate four classes of 7 pupils.

This application seeks permission for its temporary use until 31<sup>st</sup> December 2021. It is anticipated that the school will cease use in July 2021 and the additional time would allow removal of the structures and to reinstate the area to its former condition. This is pending the development of a permanent school building on land at the corner of Brondesbury Park and Christchurch Avenue which is due for completion by 2021. As such a condition would be recommended that the structured be removed by December 31<sup>st</sup> 2021.

3. The Council's Special Educational Needs (SEN) and Disability services have been facing pressures arising from increased demand for specialist education placements for a number of years. There has been an increase in demand in line with a national trend which has been exacerbated in Brent by increased inward migration. The Council has a statutory duty to provide sufficient school places for children within its area.

#### Principle of Devevelopment

4. Policy CP 18 seeks the protection an enhancement of open space, sports and biodiversity. It asserts that open space would be protected from inappropriate development and be preserved for the benefit, enjoyment, health and wellbeing of Brent's Residents. visitors and wildlife.
5. Although the site is designated as open space, the established use of the site is for education. Furthermore, education can be considered a benefit to resident's enjoyment, health and wellbeing, in accordance with Policy CP 18. As such, it is considered that the principle of development is acceptable for the established education use on the site, subject to sufficient justification to address the open space designation.
6. This application seeks temporary permission until December 2021, residents have expressed concern that this development may become permanent in future based upon the fact that the adjacent modular classroom were made permanent under application reference 17/3003. The application to make the adjacent structures permanent was assessed in regard to the permanent impact. Notwithstanding the temporary nature of the proposal, the size in terms of footprint is not considered significant in the context of the wider school site and wider adjacent open space.
7. The proposed development would be sited on school playing fields as such Sport England were consulted in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). NPPF (2019) paragraph 97 asserts that existing open space and sports buildings including playing fields should not be built on unless, Sport England have considered the proposal against their own guidance and paragraph 97 of the NPPF and stated that development would be opposed unless the development as a whole meet with one or more of five specific exceptions.
8. Sport England remarked that the proposed development results in a minor encroachment onto the playing field. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site.
9. Consequently, Sport England are of the view that the proposal sufficiently meets exception E3 of their playing fields policy, in that:
10. The proposed development affects only land incapable of forming part of a playing pitch and does not:
  - reduce the size of any playing pitch;
  - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
  - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
  - result in the loss of other sporting provision or ancillary facilities on the site; or
  - prejudice the use of any remaining areas of playing field on the site.'
11. In summary the principle of the development on the school playing fields which are designated Open Space is considered acceptable in principle.

#### Impact to Residential Development

12. The new classroom is to be located to the north east side of the Queen's Park playing fields. The proposed temporary classrooms would be located adjacent to the existing detached modular classrooms.
13. It is noted that the gardens of residential properties along Aylestone Avenue back onto the north eastern side of the school playing fields and that the residential properties of Clement Close are located to the north side of the boundary. The proposed modular classroom would be sited off the garden boundaries of Aylstone Avenue by 9m and 11m from the boundary with Clement Close with the canopy over external play area to be located approximately 4.7m and the cycle storage container located 5.5m off the boundary, the space between the structures and the rear gardens of Ayestone Avenue would be a play area. The rear gardens that back directly onto the site and long at over 34m and as stated the buildings would be located 11m from the boundary with Clement Close.

### Noise

14. The existing use of the site is a school field and as such the addition of the modular classroom buildings/cycle/storage and a play area/area covered by the canopy is not considered to materially increase the impact of noise from the site. The existing site accommodates 21 students and the proposed development would accommodate 7 additional students, the classroom structure would be set 9m away from the boundary and the proposed use would not be significantly louder than that of the adjacent classroom or existing playground use.
15. One of the objections included an acoustic note (prepared by Sharps Gayler) which raised further concerns about increased unacceptable noise. Brent's Environmental Health Department were consulted for comments on this report. They advised that the potential noise sources identified in the acoustic note would be very low impact considering the noise will take place during the daytime. The report by Jacobs confirms "Pupils will attend 8.50am until 3.20pm." and "The school will be open to staff from 7.30am until 6pm. They stated that conditioning operational hours may be considered.
16. The other noise sources highlighted in the acoustic report include "Internal sound break-out from within the classroom spaces" and "Noise from external "play" areas and other outdoor activity." Objections stated that the covered canopy area would be used for outside classes and that children cry and scream and as the school is for special educational needs that the noise activity would be different, furthermore they stated that teachers can be just as noisy as the children. Noise from the proposed activities and areas would be low impact noise and would typically take place during normal school hours during the daytime. Objections from residents stated peoples are retired and work from home and therefore spent more time during the proposed operational hours of the school in their home and gardens and that they would be affected by increased disturbance and noise. The playtime noise from children is likely to be lower than the typical school playground as it is proposed to cater for 28 children. Noise from school playgrounds would be considered 'ordinary' noise and would not constitute a statutory nuisance in law. This type of noise is likely to be experienced by residential properties that are located near schools. Such noise is for short durations, take place at a less noise sensitive time i.e. daytime and thus likely to be very low impact on the surrounding residential units.
17. Objections state that the cycle storage should be re-located as this would cause noise disturbance. It is not considered that the noise generated from the movement of just 3 bikes would be adversely harmful. Objections stated that a noise impact assessment should be undertaken and submitted for approval. Brent's Environmental Health Department remarked that this is not necessary. As such it would be unreasonable for us to request a noise assessment.
18. The acoustic note and objections have raised concern about noise from mechanical plant and machinery. As this is an educational institute such noise is not likely to be at a level expected from a typical commercial or industrial premises. The applicant has confirmed that no air conditioning units are proposed within this application and as such no further controls are required.
19. Environmental Health officers advised that noise during the construction period would be regulated by the Control of Pollution Act 1974 which would allow noisy construction works to take place only between the hours of 8am-6pm (Mon-Fri) and 8am-1pm (Sat). Local residents will not experience noise disturbance on Sundays or bank holidays. It is unlikely that the noise from the construction of a modular unit would exceed that of a typical building site and the noise would take place over a relatively short period of time.
20. Objections were received in relation to the school being used for external lettings. Further information was sought from about the lettings. The applicant revised the Planning Statement confirming that that

there is no intention to open the building outside of the above operational hours stated for lettings. That said the London Plan Policy 3.8 relates to Education Facilities and states that school facilities can provide venues for a range of community activities, including children's centres, and cultural and sports activities, where children and parents feel comfortable to access them. School facilities such as sports, training and meeting facilities should be capable of use by the wider community outside school hours. Maximum use of schools in the evenings and at weekends will reduce the land requirement for other uses. It is not considered that unacceptable and adverse disturbance to nearby residential properties would arise as a result of the proposal. It should be noted that the can currently use the areas of the proposal for activities both within and outside of school hours. Although the Planning Statement asserts that there is no intention for outside lettings, given that the London Plan encourages school to offer a range of community activities including those outside of school hours, the Council consider that conditioning the use and operational hours would be unreasonable and would deviate from the London Plan.

### *Privacy*

21. Objections raised concern that the windows facing the rear of the properties would result in overlooking and a loss of privacy to the properties on Aylestone Avenue.
22. At a distance of over 44m to the rear of the properties located directly opposite the proposed development and 36m at an oblique angle to number 43 obscure windows are not considered necessary and the separation is significant enough to prevent adverse loss of privacy. The separation distance to Clement Close is smaller but no concerns are raised in regard to privacy as no windows are located on this side facing elevation.

### *Light/Outlook*

23. Objections were received in relation to views being impacted from rear residential rooms and that the structures would have an overbearing impact especially in the winter when trees are not in leaf. The single storey nature and significant separation distance is such that there would not be materially harmful impact to the light or outlook of nearby residential properties or their gardens. The development would fall within the 30° and 45° lines set out in SPD1, which prevent any adverse impact on neighbouring gardens and properties.

### *Lighting*

24. The proposed elevations show bulkhead lights to the external doors. Objections state that the lights on/in other buildings within the school are left on overnight and concerns have been raised that the lights would cause disturbance through light pollution. Although the light fixtures are small, no further details were submitted in regard to their luminance. As such in the interest of preventing light spill and protect harm from to residential amenity, wildlife and reduce energy waste the following condition is recommended to require these details prior to occupation of the development.
25. Objections were received in regard to the layout/orientation of the buildings, stating that the entrances should face the playing field and suggesting the design should be more like another sited school facility. The above section of the report adequately addresses why the proposed layout is acceptable.

### Impact to Character and Appearance

26. Objections state the development would be unsightly, detrimental to the open character, not in keeping with the area or school and fails to enhance the suburban character.
27. The modular buildings would be single storey with a flat roof. The external elevations would be finished in a light colour painted steel and would have white upvc double glazed windows and white steel doors. The proposed design is considered to relate well to the school site, it would not be highly visible from the streetscene and would not result in harm to the character and appearance of the school or wider area. Given its single storey nature and the scale of development it is not at odds with the suburban character. Objections further state that it will have a visual impact, harming the natural light and open space becoming more obscured and the objection state it would be visible from the upper floors. It is acknowledged that the structures would be visible from the rear of nearby residential windows, however



the visual impact is considered minor given the scale of development and its single storey nature

### Trees, Ecology and Sustainability

#### *Trees*

28. The application is supported by an Arboricultural Impact Assessment and Method Statement. A total of 6 trees and 1 group of trees were recorded. The majority of individual specimens grow along the peripheries of the site and form part of the screen to the school playing field. The group G1 and individual tree T6 are situated outside the boundary fence to the east within residential gardens.
29. Of the 6 individual trees recorded, 2 were category B features (trees of moderate quality and value), 2 were category C (trees or groups of low quality or value) and 2 were category U (poor condition and not suitable for retention). The group feature was recorded as a category C.
30. The tree report states that T2 and T4 would need to be removed, T4 because it would facilitate the addition of the storage container area and T2 due to its poor health and limited safe life expectancy. These trees are classed as U which are of poor quality. These False Acacias have TPOs, an objection was received stating that the loss of two trees would be unacceptable to make way for a temporary structure. The Council agree and have, on advice from the Tree Officer, requested that two replacement trees be planted in their place within the next available planting season. This is considered to result in a longer term environmental gain given the condition/age of the existing trees.
31. Objections were received raising concern that the proposed development would result in damage to nearby trees and their root systems. The Tree Report states that the majority of trees outside the build zone are not expected to be affected, but that protective fencing will need to be erected around T1, T3 and T5 to protect the trees from damage during construction. The existing site fencing is considered to protect the remaining trees.
32. It is acknowledged that there would be some incursion to the Root Protection Areas of G1, T1 and T6 due to the new footpath and storage container. In order to prevent damage, specialist construction and excavation methods would be used under supervision by a qualified arboriculturalist. Should roots be found they may need to be pruned. Paragraph 4.34 recommends that in these circumstances, this should be done under Arboricultural supervision to avoid leaving frayed and split ends.
33. Brent's Tree Officer has been consulted on the proposal and submitted Tree Report, they were satisfied that the retained trees would be adequately protected throughout construction and that the proposed development would not result in adverse harm to any retained trees. They supported the loss of the two False Acacias (TPOs) provided two replacement trees were conditioned to be planted in the next available planting season which would be between October and March.

#### *Ecology*

34. The proposed site consists of an area of grass to the north eastern side of the QPCS site, the nearby trees and hedging are noted. The proposed area would be occupied by a combination of single storey structures and a tarmac footpath. The Council Tree Officer was consulted on the Ecology Appraisal and agreed with the findings and recommendations. They advised that the recommendations of this report be conditioned.
35. An objection raised concern about impact to wildlife environment. The wildlife listed to be evident within the objections is not considered to be adversely affected by the development. The loss of two trees would be mitigated against with the addition of two new trees and this is considered acceptable given the age/condition of the removed trees. The grassed area and site in general is not considered to be particularly ecologically sensitive and does not benefit from any particular designations.
36. As such the proposed development is not considered to result in an adverse impact to local wildlife or ecology. The recommendations contained within the submitted Ecological Appraisal would be conditioned.

#### *Sustainability*

37. Objections were received that raised concerns that the application was not sustainable for a number of reasons; lighting would be left on; not eco/sustainable build; orientation of classrooms does not maximise

light and heat. The level of lighting associated with the size of development is minimal. The classrooms include windows to the south west and to the north east. The build is temporary and fit for purpose it is likely that the modular unit would be removed and re-used elsewhere. That said, the size of the unit and techniques proposed are not considered to give rise to sustainable issues.

### Transport Considerations

38. The school already utilises a temporary building that accommodates 21 pupils, as approved under applications 11/1836 and 17/3003. This proposed development would accommodate a further seven pupils, taking the total to 28 SEN pupils with 24 staff. This number is not significant in comparison with the overall school roll at Queens Park Community School (i.e. 2.2% of the existing total). The existing temporary modular classroom would be retained after December 2021, with only the new structures/development to be removed in December 2021.
39. Car parking allowances for schools are set out in Appendix 1 of the adopted DMP and allow up to one space per 5 staff, which would give an allowance of four spaces for the SEN school. No new parking is proposed as part of the application anyway though, so maximum parking standards would not be exceeded.
40. The submission states that the SEN school already has a right to use four staff parking spaces in the main staff car park, with the yard adjoining the school able to accommodate three further car/ minibus spaces. As such, there are no concerns regarding overspill parking from the site, with the Transport Statement confirming that only five of the staff will drive to the site. The presence of a CPZ in the area in any case prevents overspill parking by staff on surrounding streets during the day.
41. The Transport Statement asserts that existing pupils are transported to school via a minibus, two taxis, two parents drop children off and two walk. Vehicles access the site from Aylestone Avenue and drop-off and collect pupils within the service yard area adjoining the existing school building.
42. The additional intake of seven pupils is expected to lead to either one additional minibus or two additional taxis transporting pupils to and from the site. There is adequate space to accommodate these additional vehicles in the service yard and although the driveway to the site is too narrow for vehicles to pass one another, the level of additional traffic that would use the access drive is not considered significant enough to justify the widening of the driveway, when the proposal is only for a temporary period of two years.
43. A total of one space per 8 members of staff has been applied. A secure cycle storage unit for 3 cycles has therefore been provided. In this instance the level of secure and covered bike storage is considered acceptable given the needs of the children

### Conclusion

44. In summary, the proposed development would serve a specific educational need, it would be temporary and removed by 31<sup>st</sup> December 2021. It would not result in undue levels of adverse harm to the residential amenity of nearby residential uses nor would it result in material adverse harm to the use of the open space/playing fields. The proposal would not harm the character and appearance of the school, wider area or streetscene.
45. The proposed development is in general accordance with the London Plan (2016), Brent Core Strategy (2010), Brent Development Management Policies Plan (2016) and Brent SPD 1 (2018).

### Equalities

46. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 19/1477

To: Williams  
Jacobs UK Limited  
Second Floor  
1 Grafton Mews  
The Pinnacle  
Midsummer Boulevard, Milton Keynes  
MK9 1BP

I refer to your application dated **18/04/2019** proposing the following:

Erection of a temporary single storey classroom building to provide additional teaching facilities, addition of associated single storey staff room/admin office, storage container and canopy over playing area to include mesh fence enclosure, new tarmac footpath and associated cycle storage (DEPARTURE FROM POLICY CP18 OF BRENT'S LOCAL PLAN).

and accompanied by plans or documents listed here:  
See Condition 2.

at **Queens Park Community School, Aylestone Avenue, London, NW6 7BQ**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 07/10/2019

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2019  
Core Strategy (2010)  
Development Management Policy (2016)  
SPD 1: Brent Design Guide (2018)

- 2 The development hereby permitted shall be carried out in material accordance with the following approved drawing and documents:

AV-JAC-00-GF-DR-A-Zz\_70\_30-0010 Rev C2, AV-JAC-00-GF-DR-A-Zz\_70\_60-0005 Rev C2, AV-JAC-00-GF-DR-A-Zz\_70\_60-0003 Rev C0, Stage 1 & 2 Arboricultural Impact Assessment and Method Statement Report prepared by Jacobs, dated July 2019, Preliminary Ecological Appraisal dated April 2019 prepared by Plowman Craven, Construction Logistics and Management Plan Rev 3, Document No. 6APFSF20 The Avenue Temps-CLMP Revision 3, prepared by Jacobs. Planning Statement, Document No. 6APFSF20 The Avenue Temps-PS, Revision 1, prepared by Jacobs, Transport Statement, Document No. 6APFSF20 The Avenue Temps-TS, Revision 1, prepared by Jacobs.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 1 This permission shall be for a limited period the building and associated works hereby approved and noted within the description of development, shall be removed and the land restored to its former condition by December 31<sup>st</sup> 2021.

Reason: In the interest of proper planning. The building is of a temporary nature and has been consulted and assessed on this basis.

- 2 The development shall be constructed at all times in accordance with the approved 'Stage 1 & 2 Arboricultural Impact Assessment and Method Statement Report prepared by Jacobs, dated July 2019'.

If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at a time specified in writing by the Local Planning Authority.

Reason: To ensure the Trees are protected throughout construction

- 3 Prior to occupation of the development hereby approved a plan indicating the location, species and girth of two replacement trees, shall be submitted and agreed in writing by the Local Planning Authority. The trees shall be planted within the next available planting season (October to March 2019/2020). The tree planting shall be carried out in accordance with BS 8545: 2014 Trees from Nursery to independent in the landscape.

If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at a time specified in writing by the Local Planning Authority.

Reason: In the interest of the local environment and visual amenity.

- 4 The development shall be carried out in accordance with the recommendations within the

approved Preliminary Ecological Appraisal dated April 2019 prepared by Plowman Craven.

Reason: In the interest of local wildlife.

- 5 No external lighting shall be installed on the proposed modular classroom building without the prior submission to the Local Planning Authority. This shall include the specification, manufacturer, lux level, model, direction and the siting of each lamp. Thereafter the lights shall be installed and operated in accordance with the details so approved.

Reason: In the interest of residential amenity of nearby occupants and local wildlife.

- 6 Secure and covered bike storage facilities as shown on the approved drawings for a minimum of 3 bicycles shall be installed prior to the occupation of the proposed development. The bicycle storage should be retained for the lifetime of the proposed development.

Reason: To ensure cycle facilities are provided for the proposed development.

## INFORMATIVES

- 1 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:

Mon-Fri 0800-1800

Sat 0800-1300

Audible works should not be carried out at any time on Sundays and Bank Holidays.

The Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at [ens.noiseteam@brent.gov.uk](mailto:ens.noiseteam@brent.gov.uk) to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

- 2 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 4 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

Any person wishing to inspect the above papers should contact Sarah Dilley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2500